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6 **BEFORE THE**  
7 **BOARD OF REGISTERED NURSING**  
8 **DEPARTMENT OF CONSUMER AFFAIRS**  
9 **STATE OF CALIFORNIA**

10 In the Matter of the Accusation Against:

Case No. 2013-25

11 **JASBIR KAUR AHLUWALIA**  
12 **730 S. 55th Street**  
13 **Renton, WA 98055**  
14 **Registered Nurse License No. 461660**

**DEFAULT DECISION AND ORDER**

[Gov. Code, §11520]

Respondent.

15 **FINDINGS OF FACT**

16 1. On or about July 10, 2012, Complainant Louise R. Bailey, M.Ed., RN, in her official  
17 capacity as the Interim Executive Officer of the Board of Registered Nursing, Department of  
18 Consumer Affairs, filed Accusation No. 2013-25 against Jasbir Kaur Ahluwalia (Respondent)  
19 before the Board of Registered Nursing. (Accusation attached as Exhibit A.)

20 2. On or about March 31, 1991, the Board of Registered Nursing (Board) issued  
21 Registered Nurse License No. 461660 to Respondent. The Registered Nurse License expired on  
22 September 30, 2008, and has not been renewed

23 .3. On or about July 10, 2012, Respondent was served by Certified and First Class Mail  
24 copies of the Accusation No. 2013-25, Statement to Respondent, Notice of Defense, Request for  
25 Discovery, and Discovery Statutes (Government Code sections 11507.5, 11507.6, and 11507.7) at  
26 Respondent's last address of record, 730 S. 55th Street, Renton, WA 98055.

27 4. Service of the Accusation was effective as a matter of law under the provisions of  
28 Government Code section 11505, subdivision (c) and Business & Professions Code section 124.

1           5.    On or about July 31, 2012, the certified mailing of the accusation and accompanying  
2 documents was returned by the U.S. Postal Service marked "Refused."

3           6.    Government Code section 11506 states, in pertinent part:

4               (c) The respondent shall be entitled to a hearing on the merits if the respondent  
5 files a notice of defense, and the notice shall be deemed a specific denial of all parts  
6 of the accusation not expressly admitted. Failure to file a notice of defense shall  
7 constitute a waiver of respondent's right to a hearing, but the agency in its discretion  
8 may nevertheless grant a hearing.

9           7.    Respondent failed to file a Notice of Defense within 15 days after service upon her of  
10 the Accusation, and therefore waived her right to a hearing on the merits of Accusation No. 2013-  
11 25.

12           8.    California Government Code section 11520 states, in pertinent part:

13               (a) If the respondent either fails to file a notice of defense or to appear at the  
14 hearing, the agency may take action based upon the respondent's express admissions  
15 or upon other evidence and affidavits may be used as evidence without any notice to  
16 respondent.

17           9.    Pursuant to its authority under Government Code section 11520, the Board finds  
18 Respondent is in default. The Board will take action without further hearing and, based on the  
19 relevant evidence contained in the Default Decision Evidence Packet in this matter, as well as  
20 taking official notice of all the investigatory reports, exhibits and statements contained therein on  
21 file at the Board's offices regarding the allegations contained in Accusation No. 2013-25, finds  
22 that the charges and allegations in Accusation No. 2013-25, are separately and severally, found to  
23 be true and correct by clear and convincing evidence.

24           10.   Taking official notice of its own internal records, pursuant to Business and  
25 Professions Code section 125.3, it is hereby determined that the reasonable costs for Investigation  
26 and Enforcement is \$612.50 as of September 4, 2012.

27                               DETERMINATION OF ISSUES

28           1.    Based on the foregoing findings of fact, Respondent Jasbir Kaur Ahluwalia has  
subjected her Registered Nurse License No. 461660 to discipline.

          2.    The agency has jurisdiction to adjudicate this case by default.

1           3.    The Board of Registered Nursing is authorized to revoke Respondent's Registered  
2 Nurse License based upon the following violations alleged in the Accusation which are supported  
3 by the evidence contained in the Default Decision Evidence Packet in this case:

4           a.    Business and Professions Code section 2761(a)(4) because the Washington Board of  
5 Nursing placed Respondent's Washington nursing license on probation in March 1998, on  
6 suspension in April 2000, and on indefinite suspension in July 2004.

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ORDER

IT IS SO ORDERED that Registered Nurse License No. 461660, heretofore issued to Respondent Jasbir Kaur Ahluwalia, is revoked.

Pursuant to Government Code section 11520, subdivision (c), Respondent may serve a written motion requesting that the Decision be vacated and stating the grounds relied on within seven (7) days after service of the Decision on Respondent. The agency in its discretion may vacate the Decision and grant a hearing on a showing of good cause, as defined in the statute.

This Decision shall become effective on January 14, 2013

It is so ORDERED December 14, 2012



FOR THE BOARD OF REGISTERED NURSING  
DEPARTMENT OF CONSUMER AFFAIRS

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DOJ Matter ID:LA2012506931

Attachment:  
Exhibit A: Accusation Case No. 2013-25

# Exhibit A

Accusation

1 KAMALA D. HARRIS  
Attorney General of California  
2 KAREN B. CHAPPELLE  
Supervising Deputy Attorney General  
3 GEOFFREY WARD  
Deputy Attorney General  
4 State Bar No. 246437  
300 So. Spring Street, Suite 1702  
5 Los Angeles, CA 90013  
Telephone: (213) 897-2660  
6 Facsimile: (213) 897-2804  
*Attorneys for Complainant*

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8 **BEFORE THE**  
9 **BOARD OF REGISTERED NURSING**  
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11 **STATE OF CALIFORNIA**

12 In the Matter of the Accusation Against:

Case No. **2013-25**

13 **JASBIR KAUR AHLUWALIA**

**A C C U S A T I O N**

14 **730 S. 55th Street**  
15 **Renton, WA 98055**

16 **Registered Nurse License No. 461660**

17 Respondent.

18 Complainant alleges:

19 **PARTIES**

20 1. Louise R. Bailey, M.Ed., R.N. ("Complainant") brings this Accusation solely in her  
21 official capacity as the Interim Executive Officer of the Board of Registered Nursing ("Board"),  
22 Department of Consumer Affairs.

23 2. On or about March 31, 1991, the Board issued Registered Nurse License Number  
24 461660 to Jasbir Kaur Ahluwalia ("Respondent.") The Registered Nurse License expired on  
25 September 30, 2008 and has not been renewed.

26 **JURISDICTION**

27 3. Section 2750 of the Business and Professions Code (all section references are to the  
28 Business and Professions Code unless otherwise noted) provides, in pertinent part, that the Board  
may discipline any licensee, including a licensee holding a temporary or an inactive license, for

1 any reason provided in Article 3 (commencing with Code section 2750) of the Nursing Practice  
2 Act.

3 4. Section 2764 provides, in pertinent part, that the expiration of a license shall not  
4 deprive the Board of jurisdiction to proceed with a disciplinary proceeding against the licensee or  
5 to render a decision imposing discipline on the license. Under section 2811, subdivision (b), the  
6 Board may renew an expired license at any time within eight years after the expiration.

7 5. Section 118 subdivision (b) grants the Board jurisdiction over suspended, expired,  
8 forfeited, cancelled, or surrendered licenses:

9 "The suspension, expiration, or forfeiture by operation of law of a license  
10 issued by a board in the department, or its suspension, forfeiture, or cancellation by  
11 order of the board or by order of a court of law, or its surrender without the written  
12 consent of the board, shall not, during any period in which it may be renewed,  
13 restored, reissued, or reinstated, deprive the board of its authority to institute or  
continue a disciplinary proceeding against the licensee upon any ground provided by  
law or to enter an order suspending or revoking the license or otherwise taking  
disciplinary action against the licensee on any such ground."

### 14 STATUTES

15 6. Section 2761 provides, in pertinent part, authority for the Board to take disciplinary  
16 action based on disciplinary action in another state:

17 "The board may take disciplinary action against a certified or licensed  
18 nurse or deny an application for a certificate or license for any of the following:

19 (a) Unprofessional conduct, which includes, but is not limited to, the  
20 following:

21 ....

22 (4) Denial of licensure, revocation, suspension, restriction, or any other  
23 disciplinary action against a health care professional license or certificate by another  
24 state or territory of the United States, by any other government agency, or by another  
California health care professional licensing board. A certified copy of the decision  
or judgment shall be conclusive evidence of that action."

### 25 COST RECOVERY

26 7. Section 125.3 provides, in pertinent part, that the Board may request the  
27 administrative law judge to direct a licensee found to have committed a violation or violations of  
28

1 the licensing act to pay a sum not to exceed the reasonable costs of the investigation and  
2 enforcement of the case.

### 3 CAUSE FOR DISCIPLINE

#### 4 (Disciplinary Action by the Washington Board of Nursing)

5 8. Respondent is subject to discipline pursuant to section 2761 subdivision (a)(4) on the  
6 grounds of unprofessional conduct because she was disciplined by the Washington Board of  
7 Nursing ("Washington Board") in 1998, 2000, and 2004 as follows:

8 9. On or about March 2, 1998, the Washington Board entered findings of fact,  
9 conclusions of law, and an order in the disciplinary action entitled *In the Matter of the License to*  
10 *Practice Registered Nursing of: JASBIR AHLUWALIA, RN.* In its Agreed Order the Washington  
11 Board concluded that Respondent had engaged in unprofessional conduct by providing  
12 substandard patient care while practicing at different facilities in Washington from 1992 to 1995.  
13 Her misconduct included failing to record patients' vital signs, undertaking treatment without a  
14 physician's order, administering medication to the wrong patient, and improper wound treatment.  
15 As a result, the Washington Board ordered Respondent's license placed on one year's probation.

16 10. On or about April 13, 2000, the Washington Board again disciplined Respondent's  
17 license for providing substandard care while practicing at a convalescent center in 1998. This  
18 misconduct included failing to administer insulin to a patient, failing to assess a patient's ulcer,  
19 and falsifying patient charts to cover her mistakes. This time, the Washington Board suspended  
20 her license for 18 months.

21 11. On or about June 21, 2004, the Washington Board disciplined Respondent's license a  
22 third time, indefinitely suspended it for her failure to comply with the terms of the 18-month  
23 suspension imposed in 2000 and the one-year probation imposed in 1998. In this decision the  
24 Washington Board found Respondent had (1) failed to complete all of the coursework required by  
25 the 1998 probation order; (2) worked for a nursing registry (temporary agency), despite agreeing  
26 to refrain from such employment in the 2000 disciplinary action; (3) failed to disclose her  
27 probationary status to an employer to secure employment; (4) failed to notify the Washington  
28 Board of her employment and her job description; (5) submitted quarterly reports falsely stating



1 she was not working in health care; (6) failed to provide written acknowledgement from her  
2 employer; and (7) failed to provide information about the coursework taken.

3 12. Under section 2761 subdivision (a)(4) the Washington Board's successive  
4 disciplinary actions placing Respondent's Washington nursing license on probation in March  
5 1998, on suspension in April 2000, and on indefinite suspension in July 2004 are each grounds  
6 for the California Board to take its own disciplinary action.

7 **PRAYER**

8 WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged,  
9 and that following the hearing, the Board of Registered Nursing issue a decision:

10 1. Revoking or suspending Registered Nurse License Number 461660, issued to Jasbir  
11 Kaur Ahluwalia;

12 2. Ordering Jasbir Kaur Ahluwalia to pay the Board of Registered Nursing the  
13 reasonable costs of the investigation and enforcement of this case, pursuant to Business and  
14 Professions Code Section 125.3; and,

15 3. Taking such other and further action as deemed necessary and proper.

16 DATED: July 10, 2012

17 Louise R. Bailey  
18 LOUISE R. BAILEY, M.Ed., RN  
19 Interim Executive Officer  
20 Board of Registered Nursing  
21 Department of Consumer Affairs  
22 State of California  
23 Complainant

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